

**THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**JOINT MOTION FOR AN ENLARGEMENT OF TIME
TO FILE DAUBERT MOTIONS**

Pursuant to Local Rules 7.1 and 7.5, the parties, by and through undersigned counsel, respectfully move for an enlargement of time for each side to file *Daubert* motions challenging expert witnesses. The current deadline for *Daubert* motions is 60 days after the filing of reply briefs in support of the parties' cross-motions for summary judgment. Doc. 462. Because the parties' reply briefs were filed on August 18, 2020, *Daubert* motions are currently due on October 16, 2020. The parties jointly request an extension of the deadline for *Daubert* motions until 60 days after any decision on the pending motions for summary judgment.

Additional time is warranted for two reasons. *First*, the outcome of the summary judgment motions may moot the need for some or all of the experts, and thus may obviate *Daubert* challenges related to that expert. *Second*, the parties

believe it is most efficient for all *Daubert* challenges to be heard together at the same time. Pending before the Court are Plaintiff's Objections (Doc. 459) to the Special Master's Report (Doc. 453) denying the CFPB's request to disqualify Dr. Xiaoling Lim Ang. The Special Master has ordered that the CFPB's expert Dr. Charles Mullin need not file a rebuttal report until after the Objections are decided, Doc. 456, and therefore neither expert has been deposed. The requested enlargement of time will allow the parties to conclude the remaining tasks with respect to these experts before filing *Daubert* motions, such that *Daubert* motions for all experts can be heard together. A proposed order accompanies this motion.

Dated: September 1, 2020

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2020, I filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record who are deemed to have consented to electronic service.

/s/ Karin Dryhurst

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**THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**[PROPOSED] ORDER GRANTING JOINT MOTION FOR AN
ENLARGEMENT OF TIME TO FILE DAUBERT MOTIONS**

Upon consideration of the parties' Joint Motion For An Enlargement Of Time To File *Daubert* Motions, IT IS HEREBY ORDERED that the Motion is GRANTED. *Daubert* motions are due 60 days after any decision on the parties' motions for summary judgment.

Entered this ____ day of _____, 2020.

The Honorable Robert D. Mariani
District Judge
United States District Court for the
Middle District of Pennsylvania